

**Town of La Pointe Zoning  
Town Plan Commission Special Meeting Minutes  
March 23, 2011**

**Town Plan Commission (TPC) Members Present:** Ted Pallas, Chair, Charles Brummer, Vice-Chair, Larry Whalen, Greg Thury, Ron Madich, Suellen Soucek, Carey Baxter (7).

**Town Plan Commission Members Absent:** None.

**Public Present:** Paul Brummer (1).

**Town Staff Members Present:** Jennifer Croonborg-Murphy, ZA, Margaretta Kusch, ZCA (2).

**I. Call to Order/Roll Call**

Chair Pallas called the meeting to order at 3:30 PM at the Town Hall. Roll call reflected members present or absent as recorded above.

**II. Zoning Ordinance Revision Project**

**Discuss and possibly make changes to draft Zoning Ordinance Sections 1-16 and Zoning Map, dated 10/6/2010 in consideration of public comment received at December 1 and December 8 Public Hearings.**

The Zoning Administrator notes that she sent the map corrections from the last meeting to Vierbicher Co., and they should be ready by the Town Plan Commission meeting on April 6<sup>th</sup>.

L. Whalen feels that non-property owners should be able to submit petitions regarding zoning ordinance amendments as well as property owners. After some discussion, it's decided to get attorney opinion.

Changes made to the ordinance:

- In 1.2 Interpretation, delete “and” from between “*the promotion of*” and “*the public health.*”
- In Section 2, add a definition for “*Light Industry,*” to read, “*An industry that produces small goods or light objects in small factories using light machinery.*”
- In Section 2, add a definition for “*Outdoor Recreational Facility,*” to read, “*A public or private facility for outdoor recreation, including but not limited to ball fields, tennis courts, golf courses, ice skating rinks, and swimming pools.*”
- In 2.21, change “*educational facility, school*” to “*educational facility, public.*”
- In 2.23, change “*employee/student housing*” to “*boarding house and rooming house.*”
- In 2.24, delete “*or on-premise sale.*”
- In 2.25, change “*during the regional flood*” to “*during a regional flood.*”
- In 2.30 and throughout ordinance, delete “*enterprise*” from “*Home Occupation Enterprise.*”

- Delete 2.36.
- In 2.41, change “*amendments*” to “*amendment*.”
- In 2.49, and throughout ordinance as necessary, change “*of this Ordinance*” to “*to this Ordinance*.”
- In 2.64, insert “*or*” to in between “*conduct*” and “*sexual excitement*.”
- In 3.1, end note, delete “*Table 1*” and “*Table 3*.”
- In 3.2 and throughout ordinance, delete “*Zoning*” from “*Asbland County Floodplain Zoning Ordinance*.”
- In 3.2, delete “*3. Forest Management Program*.”
- In 3.4, and throughout ordinance as necessary, change “*Home Office*” to “*Home Office/Studio*.”
- In 3.4, change “*Livestock Production/Products*” from a conditional use to a permitted use.
- In 3.5, add “*Parking Lot*” as a conditional use.
- In 3.5, and throughout ordinance as necessary, delete “*(up to three (3) to eight (8) non-transients)*” in “*Boarding House and Rooming House*.”
- In 3.5 and throughout ordinance as necessary, split “*Boarding House and Rooming House*” into two separate uses.
- In 3.6, delete “*4. Parking Lot*” and “*7. Recreational Facility*” from conditional uses.
- In 3.7, un-delete the words “*provide for*.”
- In 3.7 note, delete “*the number of residential units times the Minimum Required Lot Area. Minimum lot width shall be*.”
- In 3.8, add “*(outside the Shoreland Overlay District)*” to after “*Home Business*” in conditional uses.
- In 3.9, delete “*Agricultural Crop Farming*” from conditional uses.
- In 3.10, delete “*existing*” from “*Accessory Dwelling, Rental of Existing*.”
- In 3.10, add “*Educational Facility, Public*” as a permitted use.
- In 3.10, add “*Light Industry*” as a conditional use.
- In 3.13 and throughout ordinance as necessary, change “*Junk/Salvage Facility*” to “*Junk/Salvage Yard*.”
- In 3.15, change “*Educational Facility, Commercial*” to “*Educational Facility, Public*.”
- In 3.15, change “*Materials Recovery Facility*” to “*Material Recovery Facility*.”

- In 3.16, change “*Educational Facility/School*” to “*Educational Facility, Commercial.*”
- In 3.18, delete “*Campground*” from conditional uses.
- In 3.18, change “*Educational Facility/School*” to “*Educational Facility, Commercial.*”
- In 3.18, add “*Park/Campground, Municipal*” as a conditional use.
- Reflect all changes to Section 3 in Section 16.3 Zoning District Use Matrix.
- In 4.1, change “*regulation*” to “*regulations.*”
- In 4.2.B, change final three sentences from “*Architectural projections shall not exceed sixty four (64) square feet in floor area, including stairwells, are not higher than eight (8) feet above the adjacent roof ridge, and contain no living quarters. Wind generators, telecommunication, towers, and solar collectors shall conform to state and federal requirements. Architectural pr projections include spires, belfries, parapet walls, domes, chimneys, and cupolas*” to “*Architectural projections shall not exceed sixty four (64) square feet in floor area, including stairwells, shall not be higher than eight (8) feet above the adjacent roof ridge, and shall contain no living quarters. Architectural projections include spires, belfries, parapet walls, domes, chimneys, and cupolas. Wind generators, telecommunication towers, and solar collectors shall conform to state and federal requirements.*”
- In 4.2.G, change “*principal structure or use to which it is related*” to “*principal use or structure to which it is related.*”
- In 4.2.H.2, change “*No principal building/structure*” to “*No building or structure.*”
- In 4.2.I.7, change “*such as*” to “*including.*”
- In 4.3.B.1.b, add “*hotel*” to after “*multi-family dwelling.*”
- In 4.3.B.1.b, change “*or other*” to “*or similar use.*”
- In 4.3.B.3, Minimum Parking Required chart, delete “*or 1 space for each 250 square feet*” from “*Campground.*”
- In 4.3.B.3, Minimum Parking Required chart, add entry for “*Dormitory,*” to read, “*One space per bedroom/ sleeping unit.*”
- In 4.3.B.3, Minimum Parking Required chart, add “*Public*” after “*Facility*” to the titles “*Educational Facility, Elementary/Junior High*” and “*Educational Facility, High School/ Adult.*”
- In 4.3.B.3, Minimum Parking Required chart, add “*staff member*” in the entry for “*Educational Facility, Elementary/Junior High,*” after “*per teacher.*”
- In 4.3.B.3, Minimum Parking Required chart, add entry for “*Educational Facility, Commercial,*” to read, “*One space per teacher, staff member, and aide.*”

- In 4.3.B.4 and throughout ordinance as necessary, add “Town” to before “Plan Commission.”
- In 4.3.B.5, change “structures/properties” to “structures and/or properties.”
- In 4.3.B.7, replace “surfaced” with “parking.”
- In 4.3.B.8, add “an” to in between “illuminate” and “off-street parking area.”
- In 4.3.B.9, delete parentheses surrounding “date of enactment of this section” in both instances.
- In 4.3.C, add “a” to before “public roadway” in second sentence.
- In 4.3.C.1, delete “grandfathered.”
- In 4.3.C.1.a, delete “except that the decision will be made by the Town Plan Commission without involvement by the Town Board” from the second sentence.
- In 4.3.C.1.a, change “Board of Zoning Appeals” to “Zoning Board of Appeals.”
- In 4.3.C.1.c, delete “A boundary survey shall be required as a condition.”
- In 4.3.C.2.c, change “for purposes of zoning” to “for the purposes of zoning.”
- In 16.3 Zoning District Use Matrix, delete “C” from “Agricultural Crop Farming” in S-1.
- In 16.3 Zoning District Use Matrix, delete “P” from “Aircraft/ Airplane Hangar” in C-1.
- In 16.3 Zoning District Use Matrix, add “P” to “Aircraft/ Airplane Hangar” in LI-1.
- In 16.3 Zoning District Use Matrix, delete “C” from “Airport” in S-1.
- In 16.3 Zoning District Use Matrix, delete “P” from “Airport” in C-1.
- In 16.3 Zoning District Use Matrix, delete “\*” from “Bed & Breakfast” in LI-1.
- In 16.3 Zoning District Use Matrix, delete “Business & Professional Office” row entirely.
- In 16.3 Zoning District Use Matrix, delete “C” from “Campground” in T-P.
- In 16.3 Zoning District Use Matrix, add “C” to “Dormitory” in W-2.
- In 16.3 Zoning District Use Matrix, delete “C” from “Educational Facility, Commercial” in W-1.
- In 16.3 Zoning District Use Matrix, add “C” to “Educational Facility, Commercial” in R-1.
- In 16.3 Zoning District Use Matrix, delete “Forest Management Program” row entirely.

- In 16.3 Zoning District Use Matrix, add “P” to “*Fuel Storage Facility*” in LI-2.
- In 16.3 Zoning District Use Matrix, change “P” to “C” in “*Light Industry*” in C-1.
- In 16.3 Zoning District Use Matrix, change “C” to “P” in “*Livestock Production/Products*” in W-2.
- In 16.3 Zoning District Use Matrix, delete “C” from “*Park/Campground, Municipal*” in S-1.
- In 16.3 Zoning District Use Matrix, add “C” to “*Park/Campground, Municipal*” in T-P.
- In 16.3 Zoning District Use Matrix, delete “C” from “*Parking Lot*” in R-2.
- In 16.3 Zoning District Use Matrix, add “C” to “*Parking Lot*” in R-1.
- In 16.3 Zoning District Use Matrix, add “P” to “*Professional Office*” in C-1.
- In 16.3 Zoning District Use Matrix, add “P” to “*Professional Office*” in M-1.
- In 16.3 Zoning District Use Matrix, delete “C” from “*Recreational Facility*” in R-2.
- In 16.3 Zoning District Use Matrix, change “P” to “C” in “*Sexually-Oriented Business*” in C-1.
- In 16.3 Zoning District Use Matrix, add “P” to “*Transportation Facility*” in C-1.

#### IV. Adjournment

G. Thury moves to adjourn. S. Soucek seconds. All in favor, 7 aye. Motion Carries. Meeting ends at 5:35 pm.

**Town Plan Commission minutes are respectfully submitted by Margaretta Kusch, ZCA on Thursday, March 24, 2011.**

**Town Plan Commission minutes are approved as amended by Margaretta Kusch, ZCA on Wednesday, April 06, 2011.**